

**AMENDED AND RESTATED ORDINANCE NO. 2002-002
(CAMPING & SLEEPING ORDINANCE) (As amended November 8, 2012)**

**AN ORDINANCE OF THE ISLA VISTA RECREATION AND PARK DISTRICT PROHIBITING
CAMPING AND SLEEPING ON PARK DISTRICT PROPERTY**

The Board of Directors of the Isla Vista Recreation and Park District (called the "Park District") ordains as follows:

Section 1. Amendment and Restatement.

Ordinance 2002-002 is amended and restated in its entirety as hereafter set forth.

Section 2. Statement of Purpose.

The property of the Park District should be clean, sanitary and readily accessible to residents and the public at large. The use of these areas for camping and sleeping purposes interferes with the rights of others to use these areas for park and recreation purposes and creates health and safety hazards for Park District staff and the public. The purpose of this Ordinance is to maintain Park District property in a clean, sanitary and accessible condition for the benefit of the public at large.

Section 3. Definitions.

Unless the particular provisions or the context otherwise requires, the definitions contained in this section shall govern the construction, meaning and application of words and phrases used in this Ordinance.

- a) "Camp" means to pitch or occupy camp facilities; to use camp paraphernalia.
- b) "Camp facilities" include, but are not limited to, tents, huts, vehicles or temporary shelters.
- c) "Camp paraphernalia" includes, but is not limited to, tarpaulins, cots, beds, bedding, pads, sleeping bags, hammocks, cooking facilities other than those maintained by the Park District, shopping carts and similar equipment.
- d) "Public property" means all property owned or controlled by the Park District.
- e) "Sleep" means the natural, regularly recurring rest for the body, during which there is little or no conscious thought.
- f) "Temporary shelter" means any shelter not authorized by, or approved by, the County of Santa Barbara, Building and Safety Department for permanent occupancy.
- g) "Vehicle" means a device by which any person or property may be propelled, moved or drawn upon a highway, except a device moved by human power or used exclusively upon stationary rails or tracks, and including, but not limited to, an automobile, bus, truck, camper, trailer or recreational vehicle.

Section 4. Sleeping prohibited.

It shall be unlawful for any person to sleep between the hours of one half hour after sunset of one day and 6:00A.M. of the next day in or on any public property, whether inside or outside of a vehicle.

Section 5. Camping prohibited.

It shall be unlawful for any person to camp in or on any public property.

Section 6. Removal of Violators.

When it reasonably appears that a person has violated this ordinance, the General Manager of the Isla Vista Recreation and Park District, or any other person authorized to enforce this ordinance, may direct said person to leave the park and to remain out of all District parks for a period of 48 hours. A second violation of this ordinance may result in said person being directed to remain out of all District parks for a period of up to one year. Refusal to leave, or returning to District parks within the time prescribed is a violation of this ordinance and the violator may be subject to arrest. This section is not intended to replace or supersede Section 148 of the California Penal Code.

Section 7. Punishment.

Violation of this ordinance is a misdemeanor punishable by imprisonment in the county jail for not more than thirty (30) days and by a fine of one hundred dollars (\$100.00) or the maximum allowed by law at the time of violation. Any citation issued for violation of this ordinance may be processed as an infraction.

Section 8. Enforcement.

The District park ranger, any peace officer, including but not limited to, members of the Isla Vista Foot Patrol, Santa Barbara County Sheriff's Department, California Highway Patrol and University of California Campus Police, shall have the authority to enforce this Ordinance. Furthermore, at the direction of the General Manager, District staff shall have the authority to deny use of District parks, facilities and programs to individuals and groups who violate this ordinance.

Section 9. Severability.

If any provision of this ordinance or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of the ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are severable.

Section 10. Repealed and Effective Date.

This ordinance will be effective thirty (30) days from the date of adoption or publication, whichever date occurs last.

The foregoing Amended and Restated Ordinance No. 2002-002 was adopted by the Board of Directors of the Isla Vista Recreation and Park District at a regular meeting held on November 8, 2012 by the following vote:

AYES: DREIZLER, WARFIELD, LAGERQUIST, MURDOCK

NOES:

ABSTAIN:

ABSENT: NEUSHUL

Leif Dreizler, Chairperson

ATTEST

Rodney Gould, Secretary of the Board